

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BUC-EE'S, LTD.,

Plaintiff,

vs.

BUCK'S, INC. and STEVEN BUCHANAN,

Defendants.

CASE NO. 8:17-CV-00287

**DEFENDANTS' MOTION FOR ENTRY OF JUDGMENT
IN ACCORDANCE WITH BINDING ARBITRATION**

Defendants, Buck's, Inc. and Steven Buchanan, hereby move for entry of judgment in accordance with the binding arbitration conducted on October 11, 2018. The parties agreed to submit to binding arbitration certain determinations pertaining to the award of attorneys' fees. Pursuant to the Stipulated Motion and Order of Dismissal with Prejudice [Dkt. 183] and pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), as a result of the arbitration, an Order of Arbitration dated October 17, 2018, resulted. The above-referenced Stipulation provided:

With respect to the referral to arbitration, the arbitration shall take place on or before the 11th day of October, 2018. The Court orders that upon the completion of the above-referenced arbitration, the Court shall be advised as to the result of the binding arbitration, at which time the Court shall enter judgment in accordance with the binding arbitration.

On the basis of the foregoing and consistent with the Order of Arbitration submitted herewith, Defendants request judgment in the amount of Four Hundred Thousand Dollars (\$400,000.00).

This Motion is based upon the pleadings, records and files herein and upon all matters of which this Court may properly take judicial notice, and upon such other and further evidence and argument as the court may receive.

Dated this 25th day of October, 2018.

BUCK'S, INC. AND STEVEN
BUCHANAN, Defendants

By: /s/ John P. Passarelli

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CERTIFICATE OF SERVICE

I hereby certify that on October 25, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which sent electronic notification of this filing to all CM/ECF participants.

/s/ John P. Passarelli
John P. Passarelli